

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 21st April 1947.

The House met in the Council Chamber, Fort St. George, at three of the clock, Mr. President (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—SWEARING IN OF A NEW MEMBER.

Sir James Doak was sworn in.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Export of yarn outside this Province.

* 147-A Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Industries be pleased to state whether the system of giving special permits for export outside this Province either of yarn or cloth, mill-made and hand-woven, is still continued and if so, on what basis such exports are permitted and licences granted?

THE HON. SRI H. SITARAMA REDDI:—"No special permits for the export of yarn or mill-made cloth outside this Province are given by this Government. As regards handloom cloth all exgratia quotas and special permits for export outside this Province have been suspended until further orders."

SRI R. SURYANARAYANA RAO:—"May I know whether it is a suspension or stoppage of permits altogether?"

THE HON. SRI H. SITARAMA REDDI:—"As I have already stated that it is suspension until further orders for the present."

Oriental Manuscripts Library, Madras.

* 122 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) the number of manuscript and printed books in the Madras Government Oriental Manuscripts Library;

(b) whether catalogues of manuscripts have been published for each of the languages and if so, what the number of catalogues is according to language;

(c) what the staff engaged in the preparation of the catalogues is and whether it is adequate to complete the work within a reasonable period of time;

(d) whether the Library is being utilized for consultation and if so what the average number of users is;

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(e) whether the staff employed is adequate to cope with the inquiries received;

(f) whether any charges are levied for supplying transcripts to scholars and institutions and if so what they are and what the income has been during last year;

(g) what the number of the staff is with the qualifications and emoluments prescribed for each post;

(h) whether Sanskrit qualification is not insisted upon for the Curator's post;

(i) whether the Library has been located in a rented building and whether the accommodation provided is adequate;

(j) whether there are proposals before the Government to convert the Library into a Research Institute;

(k) whether the members of the staff are required to go out on tour to collect rare manuscripts and acquire them for the Library;

(l) whether adequate arrangements have been made to preserve the manuscripts in their original form or otherwise and whether rare works are being published and made available to the public as in the case of records in the Madras Record Office; and

(m) whether the Government have under consideration the whole question of the future of the Oriental Manuscripts Library with a view not only to promote the purpose for which it has been established but also make it more useful to the general public.

THE HON. SRI B. GOPALA REDDI :—“(a) There are 48,708 manuscripts and 9,251 printed books in the Government Oriental Manuscripts Library, Madras.

“(b) Yes. The number of catalogues published in Sanskrit—55; Tamil—15; Telugu—16; Kannada—5; Malayalam—2; Arabic, Persian and Urdu—4.

“(c) There is no special staff solely for the purpose of cataloguing. A staff of one Librarian, two Assistant Librarians and eleven Pandits under the Curator, attend to the work of the preparation of catalogues, in addition to their normal duties. The sanctioning of an additional staff to complete the work of cataloguing in a reasonable time is under consideration.

“(d) Yes. It is consulted locally by visitors and by non-residence users through correspondence and loan of manuscripts. For the period from 1st April 1936 to 30th November 1946 the monthly average of users is 258.

“(e) Yes.

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" (f) Charges are levied for supplying transcripts to scholars and institutions at the following rates :—

Sanskrit, Kannada and Malayalam. Rs. 10 for copying 1,000 granthas. (A grantha is equal to 32 syllables.)

Telugu and Tamil .. Rs. 9 for copying 1,000 granthas.

Urdu and Persian .. Rs. 10 for copying 10,000 letters.

Arabic Rs. 10 for copying 45,000 letters.

" Besides, there are comparing charges at the following rates :—
Charges for comparing 1,000 granthas in Sanskrit, Tamil, Telugu, Kannada and Malayalam and 60,000 letters in Urdu and Persian and 45,000 letters in Arabic are Rs. 2-12-0.

" The income received was about Rs. 939.

" (g) The number of the staff, with the qualifications and emoluments prescribed is as follows :—

Designation.	Number.	Qualifications.	Scale of pay.
			RS.
Curator	1	First or second class M.A. or B.A. (Hons.) of any British or Indian University in Tamil, Telugu, Malayalam, Kannada, Arabic or Persian with a working knowledge of Sanskrit.	200—30/2—260— 40/2—500—50/2— 700.
Librarian	1	B.A. (Hons.) or B.Sc. (Hons.) or M.A. or M.Sc. of a University in the Province and must possess a sufficient knowledge of Sanskrit and of at least one of the languages, namely, Tamil, Telugu, Malayalam and Kannada. Below 30 years of age. Account Test for Subordinate Officers—Part I.	100—10/2—150.
Assistant Librarian (one temporary).	2	Do.	70—5/2—85—7½/2— 100.
Clerk	1	S.S.L.C.	30—3/2—45—2/2— 55.
Do. (Temporary)	1	Do.	30 per mensem (fixed).
Typist (Temporary).	1	S.S.L.C. with qualification in typing.	30—3/2—45—2/2— 55.
Senior Pandit (one for Tamil).	1	Oriental Title of one of the Universities in the Province.	45—5/2—60.
Pandits (1 temporary), 3 for Sanskrit, 1 for Tamil, 1 for Telugu, 1 for Kannada, and 1 for Arabic, Persian and Urdu. (One of the Sanskrit Pandits efficient in Malayalam for Malayalam).	9	Oriental Title in concerned language of one of the Universities in the Province.	35—4/2—43—2/2— 45.

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Designation.	Number.	Qualifications.	Scale of pay. RS.
Marathi Pandit (Temporary).	1	Proficiency in Marathi with sufficient knowledge of English and ability to read and write Marathi manuscript recorded in Nagari and Modi script. Preference to Oriental Title holders of graduates.	75 per mensem (fixed).
Attender ..	1	III Form	19 to 30.
Peons	3		12 to 18.
Dusting coolies for dusting manus- cripts and books.	2		12 paid from con- tingencies.

" (h) Sanskrit qualification is not insisted upon for the Curator's post, but a candidate who knows to read and write Sanskrit is given preference for appointment to the post.

" (i) The library is not located in a rented building. At present it is housed in a portion of the University buildings on the western side. The accommodation provided for it is not considered adequate.

" (j) No.

" (k) On receiving information regarding the availability of rare manuscripts in any particular place, a member of the staff qualified to examine them is deputed with or without the Curator to acquire them for the Library.

" (l) Yes.

" (m) An Advisory committee has recently been constituted and it will be asked to go into the question of making the library more useful to the general public and submit its recommendations."

SRI R. SURYANARAYANA RAO :—" As it is a long answer on which there are likely to be a large number of supplementaries, it will be convenient if the question is taken up when the Hon. the Minister for Education is present. If any other Hon. Minister answers the question, he may merely ask for notice in reply to supplementary questions. Of course, I do not blame him for, the facts are not within his knowledge as he is not in charge of those departments."

THE HON. SRI B. GOPALA REDDI :—" I am prepared to answer supplementary questions."

SRI R. SURYANARAYANA RAO :—" I think the answer need not be read. We can take it as having been read, because it is printed: May I know whether the present Curator of the Oriental Manuscripts Library is competent to handle Sanskrit manuscripts? "

THE HON. SRI B. GOPALA REDDI :—" I think so."

SRI R. SURYANARAYANA RAO :—" I knew that would be the answer. My point is, is he really qualified in Sanskrit to handle Sanskrit manuscripts? "

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THE HON. SRI B. GOPALA REDDI :—" Yes, Sir. He has a working knowledge of Sanskrit."

SRI R. SURYANARAYANA RAO :—" Is a working knowledge of Sanskrit sufficient to deal with the ancient manuscripts in the Library? "

THE HON. SRI B. GOPALA REDDI :—" He has been handling the Sanskrit manuscripts for a long time and has been continuing to do so."

SRI R. SURYANARAYANA RAO :—" May I know how long he has been Curator of the Sanskrit Manuscripts Library? "

THE HON. SRI B. GOPALA REDDI :—" I have no information."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the Government have prescribed any qualifications for the Curator and whether they insist upon his having a knowledge of Sanskrit or only on possessing a working knowledge or having passed some examination in Sanskrit? "

THE HON. SRI B. GOPALA REDDI :—" Whatever it is, the present Curator is having a working knowledge of Sanskrit."

SRI R. SURYANARAYANA RAO :—" May I know the number of enquiries that come from foreign countries to the Curator of this Library? The fact of the matter is that the present Curator is a Muhammadan gentleman—of course, I have nothing against him—but, I am only pointing out that the manuscripts in this Library are mostly in Sanskrit."

THE HON. SRI B. GOPALA REDDI :—" No, Sir, they are not mostly in Sanskrit."

SRI R. SURYANARAYANA RAO :—" Then, may I know how many manuscripts there are in Sanskrit and how many in other languages? "

THE HON. SRI B. GOPALA REDDI :—" You have asked a question and the answer is given. A number of catalogues have been printed and so I would like to have notice of this supplementary question."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Is it necessary, Sir, for the Curator to know all the languages of the manuscripts in the Library? "

THE HON. SRI B. GOPALA REDDI :—" No Sir. It is not necessary. He can get things done by his Assistants."

SRI R. SURYANARAYANA RAO :—" Is it not at least necessary that the Curator must possess a knowledge of the manuscripts which are in abundance in the Library? I do not say he should possess a knowledge of all the languages."

THE HON. SRI B. GOPALA REDDI :—" It would be a very good qualification if he has got a working knowledge of Sanskrit also."

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SRI R. SURYANARAYANA RAO :—" Will it not be better if qualified persons are put in charge of this Library? "

THE HON. SRI B. GOPALA REDDI :—" The question will be considered. If that is possible, Government will see that it is done. We have also recently done something for the Library."

SRI R. SURYANARAYANA RAO :—" With reference to answer to clause (m), may I know what is the constitution of this Advisory Committee? "

THE HON. SRI B. GOPALA REDDI :—" I am not quite sure. The Government must have nominated the Advisory Committee."

SRI R. SURYANARAYANA RAO :—" May I know whether the Government cannot appoint another Committee to look into the oriental manuscripts in the Library with a view to make it more useful to the public here and abroad? Or, will the Government ask at least this Advisory Committee to examine its working and make recommendations to improve its utility? "

THE HON. SRI B. GOPALA REDDI :—" The suggestion will be considered."

* 148 Q.—

(The Hon. Prime Minister began to answer in Tamil.)

Sri C. N. Muthuranga Mudaliyar put a supplementary question.

MR. PRESIDENT :—" Is it not possible for the Hon. the Prime Minister to read the answer in English? "

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" I think if supplementary questions are put, I will be unable to reply to them."

MR. PRESIDENT :—" So far as supplementary questions are concerned, he can reply in Tamil."

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" My fear is when once I begin to reply in English, I may have to answer the supplementaries in that language."

MR. PRESIDENT :—" I do not take that stand. You can reply to supplementaries in Tamil. I would request you to read the main answer in English."

SRI C. N. MUTHURANGA MUDALIYAR :—" It is better to give the Prime Minister the choice of the language in which he wants to speak."

MR. PRESIDENT :—" I think the main answers may be given in English and if supplementary questions are put, he may answer them in Tamil."

(The Hon. the Prime Minister then read the answer in English.)

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Forest area in Gudapakkam village.

* 148 Q.—SRI C. N. MUTHURANGA MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that the forest area in Gudapakkam village in Sriperumbudur taluk has been denuded and made fit for cultivation and residential purposes;

(b) whether it is a fact that this forest was the only available grazing ground for the cattle in the surrounding villages;

(c) whether it is a fact that, that act of the Government has deprived the villagers of the grazing ground as well as green manure;

(d) whether the supply channel of Gudapakkam tank was also filled up, thereby depriving the villagers of the source of supply for the tank;

(e) whether it is a fact that about 150 acres of the forest still remain undestroyed; and

(f) whether the Government propose to order the preservation of at least this portion of the forest?

THE HON. SRI O. P. RAMASWAMI REDDIYAR:—“(a)

The answer is in the affirmative.

“(b) No.

“(c) Only partially.

“(d) The silting up of the channel was due to the neglect of the ryots. The crossing of the channel by military vehicles has caused some silting at the crossing only.

“(e) The Government are calling for information.

“(f) This will be considered on receipt of the report referred to in the answer to clause (e) above.”

MR. PRESIDENT:—“It is very good. I do not think the Hon. the Prime Minister will have any difficulty in answering supplementaries also in English?”

SRI C. N. MUTHURANGA MUDALIYAR:—“Though for military reasons, they have done so, will it not be possible to utilize unoccupied waste lands for the purpose of military house building and utilize the forests for the purposes for which they are intended?”

THE HON. SRI O. P. RAMASWAMI REDDIYAR:—“அது விஷயமாகவும் கவனிக்கப்படும்.”

SRI C. N. MUTHURANGA MUDALIYAR:—“May I know whether undenuded forest area which is about 150 acres which is still there will be reserved for grazing and manorial purposes?”

THE HON. SRI O. P. RAMASWAMI REDDIYAR:—“அது விஷயமாக கவனிக்கப்படும்.”

SRI R. SURYANARAYANA RAO:—“May I know what steps Government have taken to clear the supply channel of the tank?”

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THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ அது விஷயமாக அந்த டிபார்ட்மெண்டுக்கு தெரிவித்து அதற்குத்தகுந்த ஏற்பாடு செய்யப்படும்.”

Firka Development Officers.

* 149 Q.—ABDUL LATIF FAROOKHI SAHIB BAHADUR : Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that no qualifications were prescribed for Firka Development Officers and that the posts were not advertised;

(b) whether it is a fact that jail qualification was considered one of the main qualifications for the post;

(c) the names of the Firka Development Officers with their caste, age and educational qualifications; and

(d) whether it is a fact that the Collectors were not given any choice in selecting the candidates?

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ (a) Yes. Although no specific qualifications were prescribed, the following considerations were borne in mind in selecting persons for the post of Firka Development Officers :—

(i) possession of necessary enthusiasm and aptitude for rural reconstruction work;

(ii) organizing capacity;

(iii) ability to feel at home in rural surroundings; study the needs of the villagers with sympathy and understanding and evoke their confidence and secure their willing co-operation in pushing through schemes of rural uplift.

The posts were not advertised; but selection was made from as wide a field as possible in consultation with leading non-official gentlemen interested in rural reconstruction.

“ (b) No.

“ (c) The names, community and educational qualifications of the Firka Development Officers are as follows :— (Information regarding the caste of these officers is not readily available).

Serial number, firka and district.	Name of the firka Development Officer.	Community.	Educational qualifications
(1)	(2)	(3)	(4)
1 Hindupur (Anantapur) ..	Sri R. Balasankara Gowd ..	Non-Brahman Hindu ..	B.A.
2 Kalasapakkam (North Arcot). ..	„ K. Muniswami Mudaliyar.	Do. ..	S.S.L.C.
3 Kadambullyur (South Arcot). ..	„ T. S. Krishnamachari ..	Brahman ..	M.Litt.
4 Alur (Bellary)	„ R. Hanumantha Rao ..	Do. ..	Intermediate, Parts II and III only.
5 Tiruvallur (Chingleput)	„ C. Parthasarathi Ayyangar.	Do. ..	B.A., B.L.
6 Palladam (Coimbatore)	„ S. Subbian ..	Non-Brahman Hindu ..	B.A.
7 Nagari (Chittoor)	„ P. R. Kumaraswami ..	Do. ..	B.A. (Hons.).
8 Proddatur (Cuddapah)	„ B. Ramasastri ..	Brahman ..	B.A.
9 Rajahmundry (East Godavari). ..	„ C. Hanumantha Rao ..	Do. ..	Intermediate.
10 Dendur (West Godavari)	„ J. A. Ramamurthi ..	Do. ..	B.A.
11 Polavaram (West Godavari). ..	„ K. Ch. Raghupathi Rao.	Do. ..	S.S.L.C.
12 Ongole (Guntur)	„ M. Satyanarayana ..	Do. ..	S.S.L.C.

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Serial number, firka and district. (1)	Name of the Firka Development Officer. (2)	Community. (3)	Educational qualifications. (4)
13 Kumbala (South Kanara) ..	Sri. K. M. Babu Shetty ..	Non-Brahman Hindu ..	S.S.L.C. (Secondary Grade Trained Teacher's Certificate Holder).
14 Bezwada (Kistna) ..	.. D. Suryaprakasa Rao ..	Brahman ..	Intermediate. Has undergone the B.A. degree course but has not passed the B.A. degree examination.
15 Kurnool (Kurnool) ..	.. B. Ramakrishna Reddy ..	Non-Brahman Hindu ..	Intermediate.
16 Tirumangalam (Madura) ..	.. N. Subbiah ..	Do. ..	Intermediate, Secondary Grade Trained Teacher.
17 Tellicherry (Malabar) ..	.. N. P. Damodaran ..	Do. (Tiya) ..	B.A.
18 Kanupur (Nellore) ..	.. G. Padmanabhaiah ..	Brahman ..	B.A.
19 Kundah (Nilgiris) ..	.. M. Halayya ..	Non-Brahman Hindu ..	M.A.
20 Malli (Rannad) ..	.. V. Venkataswami ..	Do. ..	B.A., L.T.
21 Veerapandy (Salem) ..	.. V. Venkataramanappa ..	Scheduled Caste ..	S.S.L.C.
22 Salliyamangalam (Tanjore) ..	.. N. S. Krishnamurthi Ayyar ..	Brahman ..	B.A., B.L.
23 Shermadevi (Tinnevely) ..	.. N. Tirumalachari ..	Do. ..	Intermediate. Has passed one part of B.A. degree examination.
24 Musiri (Trichinopoly) ..	.. J. Nataraja Ayyar ..	Do. ..	S.S.L.C.
25 Gara (Vizagapatam North) ..	.. B. Krishnamurthy ..	Do. ..	Intermediate.
26 Pendurthi (Vizagapatam South) ..	.. M. Kameswara Rao ..	Do. ..	S.S.L.C.
27 Madugula (Vizagapatam Agency) ..	.. B. Dwaraka Dixit ..	Do. ..	S.S.L.C.
28 Vellakoil centre ..	.. K. C. Songappan ..	Non-Brahman Hindu ..	B.A.
29 Avanashi centre ..	.. S. R. Wellington ..	Indian Christian ..	B.A., B.T.
30 Pullankurichi centre ..	.. V. O. C. Arumugam Pillai ..	Non-Brahman Hindu ..	S.S.L.C. Has passed the Government Technical examinations in Book-keeping, Banking, Auditing (Higher) and Co-operation.
31 Tuni (Uratla cum Tuni) centre. ..	Post Vacant ..		
32 Guruvareddipalem centre ..	Sri P. R. Bavaji ..	Non-Brahman Hindu ..	S.S.L.C.
33 Yerragundapalem centre ..	.. K. Chandramouleswara Rao ..	Brahman ..	B.A.
Payyanur cum Nilleshwar centre. ..	.. A. Achuthan ..	Non-Brahman Hindu ..	S.S.L.C.

“The information regarding the age of the Firka Development Officers is not readily available. It will be obtained and furnished, if necessary.”

“(d) As the Government attach very great importance to the Rural Reconstruction Scheme, selection was made by the Hon'ble Prime Minister himself.”

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—“ As the answer has been printed and circulated to all hon. Members, may I suggest that the Prime Minister need not go through it again? ”

MR. PRESIDENT :—“ Yes.”

SRI R. SURYANARAYANA RAO :—“ May I know whether the Hon. the Prime Minister, before he made the selection invited through anybody applications before making these appointments? ”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ முக்ய மான டிபார்ட்மெண்டார் அவர்களால் தகுதியினால் அடைப்பற்றி வேண்டியவர்களை யோசித்துத்தான் அதற்கு முடிவு செய்திருக்கிறார்கள்.”

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K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"May I know whether one of the conditions insisted upon for appointment as Firka Development Officers was interest in Khadi? I mean that every candidate must show that he has got interest in Khadi which is after all only one of the cottage industries."

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—"முக்ய மாக எல்லா பிரக்காக்களிலும் கதர் அபிவிருத்தி செய்யவேண்டுமென்ற எண்ணத்தோடு கதர் விஷயம் தெரிந்தவர்களையும் கிராம புனரூத்தாரணம் விஷயங்களைப்பற்றி தெரிந்தவர்களைச் சேர்த்து appoint செய்திருக்கிறார்கள்."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"In view of the fact that spinning and weaving is only one of the several cottage industries included in the rural development scheme, may I know why every candidate should be insisted upon to have an interest in Khadi?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—"அம் மாதிரி ஜாதி மத பிரிவினைகளைப்பற்றிய விஷயங்களை மனதில் வைத்துக்கொண்டு அவர்களை நியமிக்கவில்லை."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"Is it not a fact that on account of this insistence on interest in Khadi, the candidates belonging to communities which do not believe in Khadi are completely excluded from being appointed as officers?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—"அப்படி ஒன்றும் இல்லை."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"My question does not refer any distinction on the basis of caste."

MR. PRESIDENT :—"May I point out to the hon. Member that in a previous answer it is stated that interest in Khadi is essential. Therefore, this question does not arise."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—"On account of the insistence on having interest in Khadi, are not persons belonging to certain schools of thought who do not believe in Khadi, excluded from being appointed as officers, though this Khadi scheme is only one of the several cottage industries included in the rural development scheme?"

MR. PRESIDENT :—"The hon. Member may question it, but when once Government say that it is one of the important items of the rural development scheme, he cannot further go on putting questions on it."

SRI R. SURYANARAYANA RAO :—"May I ask the Government whether aptitude for rural reconstruction work is confined to Khadi wearers only?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—"நான் இதற்கு முன்னமேயே சொல்லியிருக்கிறேன். ஆகையால் நான் இல்லை என்பது தெரியும்."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—"May I know, Sir, which Prime Minister made these appointments, whether it is the present Prime Minister or the previous Prime Minister?"

MR. PRESIDENT :—"I suppose the hon. Member knows that."

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THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ நான் முன்னமேயே சொல்லியிருக்கிறேன் மனதில் வைத்துக்கொண்டு, யார் யார் அதற்கு தகுந்தவர்களோ அவர்களை அதற்குத் தகுந்த அப்பொழுது appoint செய்யப்பட்டிருக்கிறது.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ May I know whether the present Prime Minister will consider the advisability of appointing communities whose members have not been appointed to these posts? ”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ முன்னமேயே சொன்னேன் மனதில் வைத்துக்கொண்டு அதை appoint பண்ணியிருக்கிறார்கள் என்று. ஆகையால் நான் அதற்குமேல் ஒன்றும் சொல்ல தயாராக இல்லை.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ In view of the fact that this list does not contain a single Muslim, may I know whether all Muslims have been generally excluded from being appointed under this rural development scheme? ”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ I have nothing more to add.”

K. UPPI SAHIB BAHADUR :—“ May I know whether according to this scheme, Government do not want to improve the conditions of Muslims in this Presidency? ”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ அப்படி ஒன்றும் இல்லை.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ Is it a fact that there is no Muslim available who is competent to be appointed as a Firka Development Officer? ”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ அதை முன்னமேயே சொல்லிவிட்டேன். திரும்பத்திரும்ப பதில் சொல்வதற்கு இல்லை.”

SRI R. SURYANARAYANA RAO :—“ May I ask whether there are officers called village development officers working under the Firka Development Officers? ”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ பிரக்கா டெவலப்மெண்டு ஆபீசரைப்பற்றிதான் இப்பொழுது பேசப்பட்டிருக்கிறது. பிரக்கா டெவலப்மெண்டு ஆபீசர் காட்டேஜ் இண்டஸ்ட்ரீஸ் ஆபீசர்களைவைத்து appoint பண்ணியிருக்கிறது. இப்பொழுது பேசுவது பிரக்கா டெவலப்மெண்டு ஆபீசரைப்பற்றி.”

SRI R. SURYANARAYANA RAO :—“ May I ask whether the Collectors were consulted before these appointments were finally made? ”

MR. PRESIDENT :—“ I think it is part of the question. The answer must be there.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ The answer is there but the question is not as to who made the appointments but whether the Collectors were consulted.”

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ I shall enquire into the matter but notice is required.”

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ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ This is based upon the answer given already.”

MR. PRESIDENT :—“ The Hon. the Minister says that if further information is required, he wants notice.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ The answer is that the Prime Minister himself appointed these officers. Does it not mean that the Collectors were not consulted? ”

MR. PRESIDENT :—“ The hon. Member may have his own inference. But, if he wants confirmation, the hon. Minister requires notice.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ The answer given carries with it the necessary inference which must flow from it on a reading of the English language.”

Retired Gazetted officers re-employed after December 1946.

* 150 Q.—ABDUL LATIF FAROOKHI SAHIB BAHADUR : Will the Hon. the Prime Minister be pleased to state—

(a) the number of retired Gazetted officers who were continued under re-employment even after December 1946 in various departments under the Government ;

(b) how many of them are Muslims and Christians ;

(c) if the policy of the Government is not to keep any more retired officers after December 1946 why some officers were allowed to continue under re-employment ;

(d) how long these officers will be allowed to continue under the re-employment rules ;

(e) whether there are any special qualifications which entitled them to be continued in employment even in 1947 ; and

(f) whether any retired Muslim officer has been continued in service after 1946 ; and if not, why not?

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“ (a), (b) & (f) In respect of seven retired and re-employed gazetted officers the Government sanctioned the continuance under re-employment after December 1946. Of them one is a Christian and none are Muslims.

“ Communal considerations do not come in, in re-employing retired officers of continuing them under re-employment.

“ (c) to (e) Retired officers had to be kept on in service as enough qualified and suitable candidates could not be secured in the ordinary way. These officers are being replaced as and when qualified and suitable candidates become available. They will be completely replaced when such candidates become available for all posts.”

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Is it not a fact that Muslim retired officers who were asked again by the

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Government to serve for some time longer were sent back in spite of the fact that the Prime Minister was pleased to say that Muslims were not intentionally excluded?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" Notice, Sir."

SRI R. SURYANARAYANA RAO :—" Since a sufficient number of questions have been put both in this House and in the other House on this topic, will the Government consider the question of terminating the services of all officers re-employed or retained in service after having completed their period?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" தருந்த ஆபீசர்கள் கிடைத்தால் அதன்பிறகு அவர்களை அனுப்பிவிடுகிறோம் என்று முன்னமேயே சொல்லியிருக்கிறேன். ஆகையால் இப்பொழுது இந்த question தேவை இல்லை."

MR. K. O. ANTHONI :—" Arising out of the answer given by the Hon. the Prime Minister, may I know how long will it take to get suitable officers?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" எல்லாம் தெரிந்துகொண்டுதான் சொல்லமுடியும் இப்பொழுது சொல்ல முடியாது."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" May I know, Sir, whether there are not juniors in service who are qualified to be promoted to these high appointments?"

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" அப்படி இருந்தால் இந்த ஆபீசர்களை இப்பொழுது நியமித்து இருக்கவேண்டிய தில்லை."

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—" Do the Government think that the junior officers are found to be inefficient and unable to discharge the duties which would be entrusted to them on promotion?"

MR. PRESIDENT :—" I think here it is a matter of numbers not qualifications. They want more men, evidently."

THE HON. SRI O. P. RAMASWAMI REDDIYAR :—" அதிகப் பேர்கள் வேண்டியதாக இருந்திருப்பதால் அப்படி நடந்திருக்கிறது. இப்பொழுது அதைப்பற்றி யோசிக்கவேண்டியதில்லை."

Audit objections on the accounts of Tirumalai-Tirupathi Devasthanam.

* 151 Q.—SRI C. N. MUTHURANGA MUDALIYAR : Will the Hon. the Prime Minister be pleased to state—

(a) whether the Government have received any complaints against the present Commissioner of Tirumalai-Tirupathi Devasthanam from the President of the said Devasthanam Committee regarding some audit objections against the said Commissioner;

(b) if so, when this complaint was received by the Government;

(c) whether the Government have taken any action on the complaint; and

(d) if not whether they propose to order an enquiry now at least?

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THE HON. SRI O. P. RAMASWAMI REDDIYAR :—“(a) The Audit Officer of the Devasthanams has made representations to Government about certain audit irregularities implicating the Commissioner, Tirumalai-Tirupathi Devasthanams.

“(b) December last.

“(c) Yes; the matter has been referred to the Collector of Chittoor for investigation and report.

“(d) Does not arise.”

Madras Vigilance Association.

* 152 Q.—MRS. M. N. CLUBWALA : Will the Hon. the Home Minister be pleased to state—

(a) what action is being taken on the scheme prepared by the Madras Vigilance Association for starting an Industrial Home in the premises of the Association for women who are convicted under the Suppression of Immoral Traffic Act; and

(b) what steps are being taken on the suggestions made by the Women's Sub-Committee of the Post-war Reconstruction Committee for the employment of women police?

THE HON. DR. P. SUBBARAYAN :—“(a) The proposal has been treated as a Part II Scheme for 1947-48.

“(b) The matter is under consideration in consultation with the Inspector-General of Police.”

Chingleput Wholesale Stores.

* 153 Q.—SRI C. N. MUTHURANGA MUDALIYAR : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Chingleput Wholesale Stores have not been keeping proper accounts in their central office as well as in their sub-offices;

(b) whether it is a fact that a Co-operative department official is deputed to carry on concurrent monthly audit of the Chingleput wholesale societies accounts;

(c) whether that official has reported to the Government that the Chingleput wholesale societies accounts have not been properly kept for the last six months and that it was impossible for him to audit the accounts; and

(d) whether the Government propose to hold an enquiry into the matter?

THE HON. SRI K. CHANDRAMOULI :—“(a) The Chingleput Co-operative Wholesale Stores is maintaining the books and registers in accordance with the rules made under the Co-operative Societies Act. The accounts were posted up to 28th February 1947 in the head office excepting the striking of balances in the goods ledger. Regarding the branch accounts, those in the Uttiramerur branch are kept up to date while in the three other branches, viz., at Conjeevaram,

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Madurantakam and Chingleput, all accounts except the goods ledger are kept up to date. The arrears are due to the greatly expanding business of the stores and the dearth of qualified and trained men to fill up the posts.

“(b) There are two Senior Inspector auditors and one Junior Inspector auditor who are entrusted with the concurrent and final audit of the accounts of the head office and the branches of the Chingleput Co-operative Wholesale Stores.

“(c) One of the Senior Inspector auditors who is conducting the audit of the procurement branch reported on 10th January 1947 that much progress could not be made as accounts relating to Chingleput taluk depot were not up to date. Its audit was taken up soon after the accounts were brought up to date.

“(d) The Registrar of Co-operative Societies has enquired into the matter and has reported that lack of adequate number of qualified accountants is the main cause for the arrears in audit. To ensure prompt audit, the Co-operative Wholesale Stores have been advised to take one more Senior Inspector and another Junior Inspector at the cost of the Stores for a period of six months. The Government therefore do not consider it necessary to hold an enquiry into the matter.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ May I know whether Government received any memorial or representation from the President of the Chingleput Wholesale Co-operative Stores?”

THE HON. SRI K. CHANDRAMOULI :—“ As far as I know, no such representation has been received.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ Is it not a fact that the President of the Stores has in his representation alleged that attempts were being made to discredit this wholesale stores with a view to constituting a producer-cum-consumer co-operative society in the locality?”

THE HON. SRI K. CHANDRAMOULI :—“ That petition might perhaps have gone to the Registrar of Co-operative Societies or some other person. I have already said that no such communication has come to the Government.”

SRI R. SURYANARAYANA RAO :—“ May I know whether the Producer-cum-Consumer Co-operative Society has also invaded the Chingleput district?”

THE HON. SRI K. CHANDRAMOULI :—“ No, not yet.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ Is this not, Sir, the first attempt or at least a preparation for such invasion?”

THE HON. SRI K. CHANDRAMOULI :—“ How can the hon. Member come to that presumption.”

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ABDUL LATIF FAROOKHI SAHIB BAHADUR :—“ Is it not likely to invade, Sir?”

MR. PRESIDENT :—“ The Hon. the Minister cannot answer that question.”

Appointment of Municipal Commissioners.

* 154 Q.—SRI B. BHIMA RAO : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any appointments of Municipal Commissioners (Executive authorities under the Madras District Municipalities Act) have recently been made and if so, on what date;

(b) the names of the appointees, their qualifications, caste or community to which they belong and the districts they came from;

(c) how many of the appointees have been recruited from subordinate official ranks and how many appointed direct; and

(d) how many of the appointees are from the Rayalaseema districts?

THE HON. SRI K. CHANDRAMOULI :—“ The word ‘recently’ in clause (a) is vague.

“ The particulars required in clauses (a) and (b) are furnished below in respect of the appointments made from 1st February 1947 :—

Name of person.	Date of order of appointment.	Qualifications.	Caste or community.	Native district.
(1)	(2)	(3)	(4)	(5)
1. Sri M. Muthuveerappan (Manager, Coonoor Municipality).	7—2—47	(a) B. A. .. [(b) Passed account test part I prescribed for subordinate officers. (c) Passed Book-keeping test prescribed for the Local Fund Audit Department. (d) Undergone three months training in Electricity Accounts at the Superintending Engineer's office, Mettur dam.	Non-Brah- man, Hindu.	Coimbatore.
2. Sri V. D. Adisayamani (Manager, Chidambaram Municipality).	7—2—47	(a) B.A. .. (b) Passed Account test, Revenue test and Criminal and Judicial test.	Indian christian.	Tinnevely.

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Name of person. (1)	Date of order of appointment. (2)	Qualifications. (3)	Caste or community. (4)	Native district. (5)
3. Sri G. Nagarathnam (Officiating Superintendent, L. A. Department).	7-2-47	B.A.	Brahman.	Chittoor.
4. Syed Ahmed Sahib (Executive officer, Chirala Panchayat Board).	7-2-47	M.A. Trained as Panchayat Board Special officer (rendered war service.)	Muslim ..	Nellore.
5. Sri K. Immanuel (Manager, Palam- cottah Municipality).	7-2-47	(a) B.A. .. (b) Account Test, Part I, pres- cribed for subordinate officers.	Indian Christian.	Tinne- vely.
6. Sri V.P. Kanakaraj (Manager, Trichino- poly Municipality).	3-3-47	(a) B.A. .. (b) Passed Ac- count Test.	Do.	Trichino- poly.
7. P. Rajagopala Rao, (Executive officer, Tadepalligudem Panchayat Board).		(a) B.A. .. (b) Account Test, Part I for subordinate officers. (c) Revenue Test, Parts I to III	Brahman..	East Goda- vari dis- trict.

" (c) All the appointees have been recruited from among persons who are in active Government, Municipal or Local Fund service as required by section 12 (c) (8) of the Madras District Municipalities Act. No one has been appointed direct.

" (d) None of the appointees is from the Rayalaseema districts."

SRI B. BHIMA RAO :—" Will the Hon. Minister expedite the appointment of some Municipal Commissioners from the Rayalaseema districts? "

THE HON. SRI K. CHANDRAMOULI :—" I will surely consider the matter."

SRI R. SURYANARAYANA RAO :—" May I know Sir whether a Committee of Selection makes these selections and these Commissioners are appointed from such list? "

THE HON. SRI K. CHANDRAMOULI :—" No, Sir."

SRI R. SURYANARAYANA RAO :—" May I know Sir whether there is no Selection Committee at all to make a selection for these appointments? "

THE HON. SRI K. CHANDRAMOULI :—" No such Selection Committee has been appointed."

SRI R. SURYANARAYANA RAO :—" Do these appointees satisfy the rules governing the appointment of Commissioners? "

THE HON. SRI K. CHANDRAMOULI :—" Certainly, Sir."

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Irrigation facilities in Guntur district.

* 155 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government passed orders in September last to provide irrigation facilities for certain survey numbers in Garikapadu village, Bapatla taluk, Guntur district;

(b) whether ayacutdars have agreed to pay the cost of acquisition of lands required for providing irrigation facilities;

(c) whether any action has been taken so far to carry out the orders of Government;

(d) whether delay in this case as in the case of others has been brought to the notice of Government, and if so, what action they propose to take especially when the schemes affect "Grow More Food" campaign; and

(e) whether the Government have devised any method to ensure carrying out of such schemes without undue delay?

THE HON. SRI KALA VENKATA RAO :—“(a) Yes.

“(b) Some of the ryots are not willing to bear the cost of acquisition of the land and some are objecting to the acquisition itself.

“(c) No action can be taken in the matter unless and until all the ryots agree to bear the cost of acquisition *pro rata*.

“(d) No delay has been brought to the notice of the Government in this case.

“(e) No. Proceedings under the Land Acquisition Act in such cases are usually expedited wherever necessary and possible.

“The question of altering the procedure under the Act so as to expedite acquisition of lands required for Grow More Food schemes and the execution of such works is also separately under consideration.”

SRI R. SURYANARAYANA RAO :—“In view of the fact that the Grow More Food Campaign has become very important, I want to know, Sir, whether the Government to enact any statute and whether they will expedite its enactment?”

THE HON. SRI KALA VENKATA RAO :—“The question is being examined by a separate committee and a special officer of the Government of India. As soon as the report is available, necessary provision will be made.”

Blake Choultry Inam Land in Bellary.

* 156 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Public Health be pleased to state—

(a) Whether what is known as the Blake Choultry Inam Land in Bellary Municipality forms part of any Town-Planning Scheme;

(b) whether the said land has been alienated in favour of the Municipality;

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(c) whether there is any proposal to convert the said land into house-sites and auction them; and

(d) whether the Collector of Bellary has sold any or all portions of the land as house-sites?

THE HON. SRI A. B. SHETTY :—“(a) A portion of the land comprising the Blake Choultry Inam forms part of the Satyanarayanapet Town-Planning Scheme, Bellary.

“(b) No. The Bellary Municipality is reported to have applied to the Collector for alienation of the land.

“(c) Yes.

“(d) No.”

SRI R. SURYANARAYANA RAO :—“Will the Hon. the Minister state, Sir, whether a land already included in the Town-Planning Scheme can be alienated in favour of the Municipality or private party?”

THE HON. SRI A. B. SHETTY :—“The Municipality will have the priority.”

SRI R. SURYANARAYANA RAO :—“If alienation is made will the Government impose any conditions to see that it is used for house sites only?”

THE HON. SRI A. B. SHETTY :—“Yes, Sir.”

Government Royapettah Hospital, Madras.

* 157 Q.—MRS. M. N. CLUBWALA : Will the Hon. the Minister for Public Health be pleased to state—

(a) what the number of beds provided in the Government Royapettah Hospital, Madras, is;

(b) whether there have been complaints that neither the accommodation provided nor the number of beds is sufficient;

(c) what provision exists for X-ray treatment;

(d) whether the X-ray apparatus of the hospital was temporarily removed and if so, when it is proposed to be restored;

(e) whether the patients needing X-ray treatment have to be sent every day to the General Hospital;

(f) whether the staff employed, both honorary and paid, is qualified to deal with all cases both surgical and medical including those requiring X-ray treatment; and

(g) whether the hospital is provided with sufficient number of House Surgeons and House Physicians?

THE HON. SRI A. B. SHETTY :—“(a) The hospital has 150 beds.

“(b) In 1945, the Surgeon-General reported that the growing needs of the hospital necessitated an increase in its bed strength and he has been asked to submit definite proposals in the matter, in due course.

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- “(c) No provision exists for X-ray treatment in the hospital.
- “(d) The X-ray apparatus was removed in 1931 as a measure of retrenchment. Government do not propose to reinstal it in the hospital as the patients can be easily taken to the Government General Hospital, Madras.
- “(e) The answer is in the affirmative.
- “(f) The present staff is qualified to deal with Surgical and Medical cases but not cases requiring X-ray treatment as there is no X-ray Department in the hospital.
- “(g) Seven House Surgeons have been sanctioned for the hospital and the number is considered sufficient.”

SRI R. SURYANARAYANA RAO :—“ May I know, Sir, what is the meaning of “ in due course ” in the answer (b)? ”

THE HON. SRI A. B. SHETTY :—“ The number of bed strength in the Tambaram Sanatorium is proposed to be raised, Sir, and it is proposed to shift the Royapettah Tuberculosis Hospital to that place.”

SRI R. SURYANARAYANA RAO :—“ Will that mean that the Government are going to hand over present Tuberculosis Hospital at Royapettah to the Royapettah Hospital? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir. There is such a proposal.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ May I know Sir how many Muslim House Surgeons are there? ”

THE HON. SRI A. B. SHETTY :—“ I cannot give that information at present.”

SRI R. SURYANARAYANA RAO :—“ In view of the growing strength of the hospital, Sir, and in view of the fact that there was an X-ray apparatus already in 1931 and it was removed, will the Government consider the desirability of installing an X-ray apparatus again in the Royapettah Hospital? ”

MR. PRESIDENT :—“ I think he has already given the answer.”

SRI R. SURYANARAYANA RAO :—“ In view of the distance between the Royapettah Hospital and the General Hospital and since patients have to be taken in vans for X-ray treatment even though they are in a bad condition, will the Government consider the desirability of restoring the X-ray apparatus to the Royapettah Hospital? ”

THE HON. SRI A. B. SHETTY :—“ I agree, Sir, that it is necessary to provide X-ray apparatus in all important hospitals. The suggestion of the hon. Member will be considered.”

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Nurses' quarters of Stanley Hospital.

* 158 Q.—MRS. M. N. CLUBWALA: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that there is crowding in the nurses' quarters of the Stanley Hospital; and

(b) whether any provision has been made in the building scheme of the hospital for accommodation of the nurses as well?

THE HON. SRI A. B. SHETTY :—“(a) The answer is in the affirmative.

“(b) A programme of various items of extensions to the hospital which is under separate consideration provides for the construction of additional quarters for the nursing staff of the hospital. As it will take some time before the quarters are constructed, the Surgeon-General is taking separate steps for the provision of temporary additional accommodation to relieve the existing congestion in the quarters, by putting up Military A and B sheds which are being built by the Industrial Adviser.”

SRI R. SURYANARAYANA RAO :—“Will the additional accommodation be for all the 127 nurses?”

THE HON. SRI A. B. SHETTY :—“The additional accommodation proposed is for 50 nurses.”

SRI R. SURYANARAYANA RAO :—“The strength of the nursing staff seems to be 127 and the existing accommodation is for 50 and 50 more is to be added, where will the balance of 27 be accommodated, Sir?”

THE HON. SRI A. B. SHETTY :—“That is the report of the Surgeon-General, Sir. According to that report provision has been made.”

SRI R. SURYANARAYANA RAO :—“Will the Government bring it to the notice of the Surgeon-General to provide accommodation for these 27 people also?”

THE HON. SRI A. B. SHETTY :—“The matter will be considered.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“Is there accommodation for male nurses also?”

THE HON. SRI A. B. SHETTY :—“If there are male nurses they will also be provided for.”

K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“Will there be separate accommodation for male nurses?”

MR. PRESIDENT :—“Did the Hon. Minister state that the accommodation is joint?” (Laughter.)

THE HON. SRI A. B. SHETTY :—“Separate accommodation will be provided.”

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[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III.—MESSAGE FROM THE ASSEMBLY.

MR. PRESIDENT :—“ I have to announce to the House that the following messages, dated Fort St. George, the 7th April 1947, received by me from the Hon. the Speaker of the Madras Legislative Assembly:—

‘ (1) In accordance with rule 94 of the Madras Assembly Rules I transmit a copy of the Bar Councils and Legal Practitioners (Madras Amendment) Bill, 1947 (L.A. Bill No. 11 of 1947) as passed by the Assembly on the 17th April 1947 and signed by me for the concurrence of the Council.

(2) In accordance with rule 94 of the Madras Assembly Rules I transmit a copy of the Criminal Tribes (Madras Repeal) Bill, 1947 (L.A. Bill No. 12 of 1947) as passed by the Assembly on the 17th April 1947 and signed by me for the concurrence of the Council.’ ”

IV.—GOVERNMENT BILLS.

- (1) THE BAR COUNCILS AND LEGAL PRACTITIONERS (MADRAS AMENDMENT) BILL, 1947 (L.A. BILL NO. 11 OF 1947).

THE HON. DR. P. SUBBARAYAN :—“ Sir, I move—

‘ that the Bar Councils and Legal Practitioners (Madras Amendment) Bill, 1947 (L.A. Bill No. 11 of 1947) as passed by the Legislative Assembly be taken into consideration at once.’

“ A Bill of this kind was introduced in the Central Assembly some years ago by my friend Mr. T. T. Krishnamachari but as there was no time at that time that Bill was not proceeded with. A similar Bill of that type has been given notice of in the Central Assembly. Now the Government felt that as far as this Province is concerned as we have the power under the Concurrent Legislative List to amend this Act, the Act may be amended in order to help those who held various political opinions. Decisions of various High Courts on this matter have differed also. For instance, the then Chief Justice of Bombay said that no one should suffer for political opinions sincerely held and therefore practitioners in Bombay who were guilty of such offences were not debarred but owing to different decisions of this High Court some practitioners have been debarred and it is to put them back into the same position, that this Bill has been brought up.

“ There is a second matter which the High Court themselves wanted and that was that while practitioners of other High Courts are entitled to practise before the various Subordinate Courts in this Province but when disciplinary action comes into consideration the High Court, though they can take action against any practitioner who has been enrolled as an advocate of this High Court, have no jurisdiction over those practitioners who practice in various subordinate courts but who have been enrolled in other High Courts in this country. The High Court naturally feels that

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there should be one body which can take disciplinary action against all practitioners that practice in the High Court or in the Subordinate Courts in this Province and therefore a clause has been added to give this jurisdiction to our High Court.

“ These are the two main points of this Bill, Sir, and I hope the Council will take it into consideration and pass it into law.”

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ Mr. President, I rise to support the Bill. The provisions of the Bill are necessary and salutary. All will agree on the question of the need for the provisions of the Bill; but I have to say a few words about a few sentences occurring in the Statement of Objects and Reasons. There has been a general feeling on the part of many members of the bar that legal practitioners who are not guilty of offences involving moral turpitude should not be debarred from practising, that is, that disciplinary action should not be taken against such people. I am glad that this Bill has been brought up by the Government so that persons who are not guilty of such offences are not debarred. But the motive of Government in bringing this measure seems to be not that all persons should be free.”

THE HON. DR. P. SUBBARAYAN :—“ As a matter of personal explanation the hon. Member may be saved the trouble of dealing with the question if I submit that he would have noticed that there is no reference in the Bill to 1942 at all. It refers only to political opinions held and therefore it covers all cases.”

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ I can assure the Hon. Minister that I have read the Bill and I know there is no reference to the year 1942 in the Bill. But my complaint is against the Statement of Objects and Reasons. There it is said that the object of the Bill is to carry into effect the present policy of the Government that no person who took part in the 1942 movement should suffer in any way.”

MR. PRESIDENT :—“ May I point out to the hon. Member that he knows that the Statement of Objects and Reasons does not form part of the Bill and that he need not be worried over it.”

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ Sir, the Statement of Objects and Reasons is placed in our hands and we are entitled to comment on it as to what is behind the mind of the Government.”

MR. PRESIDENT :—“ That only tells you the immediate necessity for the Bill. That is all. In its application, it applies to every body.”

* K. T. M. AHMED IBRAHIM SAHIB BAHADUR :—“ I wish to point out that though we are agreed over the provisions of this Bill and we support it whole-heartedly, we do not support the Objects and Reasons given for this Bill because therein they have enunciated their present policy with regard to the movement of 1942. You know that, so far as the Muslims of this country are

[K. T. M. Ahmed Ibrahim Sahib Bahadur.] [21st April 1947]

concerned, they have not been in the movement in any way nor have they supported it in any way as they have their own opinion on this question. The support that I am giving to the Bill should not be taken to mean that we the Muslims of this country agree in any way with the objects of the movement of 1942 or in any way associate ourselves with the activities of the people who took part in that movement of 1942. I wish to make that point clear."

The motion was put and carried and the Bill was taken into consideration.

Clauses 2, 3, 4, 5 and clause 1 were put and carried.

The Preamble was put and carried.

THE HON. DR. P. SUBBARAYAN :—" Mr. President, I move that the Bill be passed into law."

The motion was put and carried and the Bill was passed into law.

(2) THE CRIMINAL TRIBES (MADRAS REPEAL) BILL, 1947
(L.A. BILL NO. 12 OF 1947).

THE HON. DR. P. SUBBARAYAN :—" Mr. President, I move—

'that the Criminal Tribes (Madras Repeal) Bill, 1947 (L.A. Bill No. 12 of 1947) "as passed by the Assembly be taken into consideration at once.'

" This matter has a fairly long history. The classes that are concerned with this Bill feel rather strongly that a slur has been cast upon them. Of course in the old days when communications were hard and police stations were fewer, it was difficult to apprehend some offenders and so people belonging to certain classes who were generally described as having criminal tendencies were put under restraint by means of the provisions of this Act. Now, there is a feeling that there is more order and more peace and that a particular community or communities should not have a slur cast upon them by this wholesale stigma placed upon them. After full consideration, the Government felt that it would be better to repeal this Act and find some other methods or use the ordinary processes of the law for dealing with these classes of people. That is the reason for this Bill and I hope the House will take the Bill into consideration and pass it into law when the time comes."

* SRI R. SURYANARAYANA RAO :—" Mr. President, I am sure almost all the members of this House would congratulate the Government on bringing forward this Bill. I wish the Hon. Minister for Home Affairs had explained to the House why the provisions of the Bill as published in the Gazette under Rule 73 of the Madras Legislative Council Rules differ from those of the

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Bill introduced now in this House. The Bill was published on the 21st January 1947 in the *Fort St. George Gazette* to give effect to the intentions expressed by the Hon. Minister. It did not contain a very material addition which has been made by the Hon. the Minister and I wish he had explained why the Government felt the need for the addition. The addition runs 'except for the purposes of Section 3 of the Madras Restriction of Habitual Offenders Act, 1943.' We want to know why the Government feel the need for this exception. Section 3 of Act XXX of 1943 passed by His Excellency the Governor who announced it by a proclamation under Section 93 of the Government of India Act reads 'If the Provincial Government are satisfied that any person is a habitual offender, they may by notification in the *Fort St. George Gazette*, declare that he shall be subject to any of the provisions of the Criminal Tribes Act, 1924, and the rules made thereunder with such modifications and restrictions, if any, as may be specified in the notification and thereupon the provisions aforesaid as so modified and restricted shall apply to such person, as if he were a member of a notified tribe within the meaning of that Act.' My submission is I am not a lawyer. The position appears to me that you are repealing a certain Act and you want to take action under that very Act you are repealing, namely, the Criminal Tribes Act of 1924."

MR. PRESIDENT :—" I do not think you are right. There is no question of repealing the Act of 1924. The present Bill seeks to take away Madras from the Schedule to the Criminal Tribes Act and the provisions of the Act will be there and will apply in respect of habitual offenders."

* SRI R. SURYANARAYANA RAO :—" As a lay man I wanted to be sure about the position, as there was a difference between the Bill before the House and the one published in the Gazette.

" The next point is the Government maintain a large number of criminal settlements and they are being managed for the past two years, I think, by the Police department. I would like to know whether it is the intention of the Government to abolish the criminal tribes settlement or to make use of them for the purpose of dealing with habitual offenders. Secondly I want the Government to consider whether the police officials are the people who are fit to reform these people. I know the change of administration was effected during the Adviser regime. For a number of years the criminal tribes settlements were managed by the Commissioner of Labour and for some reason during the Adviser regime, the management of the settlements was transferred to the Inspector-General of Police. I should like to know from the Government whether the use of the Criminal Tribes Act is to be restricted only for purposes of dealing with habitual offenders and whether the police are the persons most competent to reform these people."

MR. PRESIDENT :—" The Bill does not say so."

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* SRI R. SURYANARAYANA RAO :—“ The settlements existed because of the Criminal Tribes Act and in that way I connect the criminal tribes settlements with the Act. When once that Act does not apply and their provisions are to be used only with reference to habitual offenders, I would like to know the intentions of the Government with reference to the reformatory process, about which the Government must be equally anxious in the case of habitual offenders. The Hon. Minister is also in charge of the Police and he may have great faith in their capacity to maintain law and order. But I submit, Sir, that I doubt whether they have the capacity to reform criminals. These reformatory settlements should be entrusted to social service bodies who will approach the criminals with a view to better them, to improve their character and to make them take to peaceful avocations. It is not fear of being punished under the Habitual Offenders Act that must form the basis of reformation for these people. I would like this point to be brought to the notice of Government. I do not know whether the Hon. the Minister for Home Affairs and Law knows that this transfer has taken place from the Commissioner of Labour to the Inspector-General of Police. There is the latest report issued by the department and it contains an account of a good deal of very useful work done even by the police official. Whatever the agency may be, the motive with which reformation is carried on is more important in matters of reformation like this. I would like the Hon. Minister to consider, even for these habitual offenders, whether these settlements, if they are to be retained, should be managed at all by the Police officers. Is it not wise to entrust them to organizations interested in social service? This is a question that has been considered at great length by the Government of Bombay. They have offered their management to social organizations, because they were aware—they were conscious—that the Police were the persons least competent to effect any reformation. It is the fear of the law, of the enforcement of the law, or, if I may say so, it is the fear of the rod and the law—here the rod itself—that cannot make a man reform himself. I do not think, Sir, even the Hon. Minister for Home Affairs believes that that is the best way of reformation. Then, Sir, if these criminal tribes settlements are to be retained—call them reformatory settlements, I hope they will be called so after the Act is removed from the purview of the Provincial statute—will admission into these settlements be permitted on a voluntary basis? Will the children of these so-called criminal tribes be taken care of either by the Police department if that department continues to manage these settlements or by the Commissioner of Labour in order that they may be educated and made to pursue peaceful avocation? All these problems naturally arise when we consider this Bill. The Government are perfectly justified in bringing forward this Bill, but they should also look to the reformatory side of these habitual offenders—even if we call them habitual offenders if not criminal tribes.

“ Then, Sir, some time ago, the previous Ministry appointed a committee called the Aboriginal and Backward Classes Committee. You may remember, Sir, that I gave notice of a resolution,

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and before that resolution could come up for discussion, the Government took the clue and on their own volition appointed a committee to deal with that problem. One of the terms of reference to that committee was—

“To consider and report on the changes necessary to be introduced in the policy relating to the administration of the Criminal Tribes Act with particular reference to the question of tackling the nomadic habit prevalent among several of the tribes and on such other matters as may be germane to the uplift of the said tribes.”

I hear, Sir, whether the information is correct or not, I am subject to correction, that the work of this committee has been suspended by this Ministry. I hope, Sir, ...”

MR. PRESIDENT :—“I am afraid the hon. Member is making a budget speech.”

* SRI R. SURYANARAYANA RAO :—“No, Sir. I would like, Sir, as this forms part of the terms of reference to that Committee”

MR. PRESIDENT :—“How is it relevant to the Bill?”

SRI R. SURYANARAYANA RAO :—“When you repeal an Act, Sir, ...”

MR. PRESIDENT :—“The Bill does not contemplate any proposals for reformation. It simply removes or amends”

SRI R. SURYANARAYANA RAO :—“The intention of the Criminal Tribes Act was also to reform them. That is why these settlements are conducted, and to that extent I feel, Sir, I am justified in referring to the terms of reference to that Committee.”

MR. PRESIDENT :—“All right. I do not mind.”

SRI R. SURYANARAYANA RAO :—“I would like when that Committee's report is out, the suggestions I have ventured to make in connexion with the reformation of these habitual offenders—I do not call them criminal tribes any more—will also be taken into consideration, and I hope that these unfortunate habitual offenders will reform themselves under better auspices than the Police. With these words, Sir, I support the consideration of this Bill, and I hope that the suggestions made by me will be borne in mind.”

SRI P. R. K. SARMA :—“Sir, I welcome the enactment of this Bill.”

SRI B. NARAYANASWAMI NAYUDU :—“Any more in this Bill, Sir? What is the principle of this Bill? Taking away the Criminal Tribes Act, what are you going to do with them? Are you going to deal with them as habitual offenders still under the same old law? What is it?”

MR. PRESIDENT :—“May I take it that the hon. Member has finished his speech?” (Laughter.)

* SRI P. R. K. SARMA :—“Sir, it gives me great pleasure to support this legislation as it liberates from a century-old thralldom a large section of the community known as criminal tribes. As my hon. Friend Mr. Suryanarayana Rao pointed out, the term

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criminal tribes is a misnomer. They are as civil as any other section of the population. On account of the legal disabilities, people coming under these criminal tribes have been subjected to all kinds of difficulties. They have not been able to even eke out their livelihood. There has been a system of forced labour. The people belonging to the criminal tribes have not had freedom to go about and earn an honourable living for themselves. They have been forced to work in the houses of Government servants and especially for the police officers who are supposed to take charge of them. Even now, Sir, in the villages these people have got to go and take their beds in the police station. While they are forced to go and sleep there, because they are regarded as criminal tribes, they have also to do there every work, every service, that is allotted to them not only by the Police Inspectors and other Police officers, but also by Revenue officers like Tahsildars and Deputy Collectors. I know thousands of these people. I have moved amidst them in Chingleput district, Nellore district and Chittoor district. These people live on uncertain occupations. Some of them go about tending geese. They have no homes. Some of them are still in migratory condition. They have no settled occupations. Some of them have taken advantage of educational facilities. Some have become industrial workers. Those who have become educated are really taking a living interest in the community to which they belong. I know of a particular instance where a worker belonging to the community has resigned a decent appointment and has been going about with the Aborigines committee from place to place, district after district, studying the present economic condition of the people who were regarded as criminal tribes. Even now, Sir, even after the enactment of this legislation, even after hope and succour have been brought to them, Police persecution has not ceased. I have brought to the notice of the Government and the Hon. Minister in charge of Law and Order hundreds of cases where Police Sub-Inspectors and Circle Inspectors have persecuted the poor people belonging to these communities. I know of a recent instance—I have brought it to the notice of the Government—where a man belonging to this community, who is attached to a Police Inspector, was not invited to a particular marriage in the community. The Inspector went to the spot where the marriage was taking place, caught hold of the marriage couple about to be married, and had them shut up in a room in the Police station."

MR. PRESIDENT :—" I think he did well." (Laughter.)

SRI P. R. K. SARMA :—" This reform has been long overdue and it is not enough if these people are given the freedom from the age-long thralldom. Their methods of living should be improved. They live in the backyards of landholders. They live at their mercy. They have no definite occupations. It is no use of giving them the freedom contemplated in this enactment. We have submitted large schemes to the Aborigines committee. Poramboke lands available should be allotted to them. Agricultural colonies should be started, and special educational facilities should be given to them so that the people who belong to this community

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may grow as an economically independent community and a useful community. My friend Mr. Suryanarayana Rao referred to the criminal settlements. These criminal settlements were really made criminal by the Police officers who were in charge of these settlements. Some of these settlements have been entrusted in the past to Christian missionaries, who liberally converted them. I know, Sir, when strikes break out, it is from these criminal settlements—not only in this Presidency, but in the Bombay Presidency also, where they are called *harinchikaris*—hundreds and thousands are supplied as blacklegs. I have known an instance where in a huge strike, these *harinchikaris*, these so-called criminal tribes—residents of criminal settlements—refused to work as blacklegs. For that they were beaten, and taken to work as blacklegs. In spite of that, they refused. They are as self-respecting as anybody else. It is therefore necessary that Government should take very active steps to see that work is provided for them, educational facilities are given to their children, and that the community is enabled to develop as an economically independent community. A committee was appointed by the Government. One of the early steps taken by the previous ministry was to look into the conditions of these aboriginals and other allied communities. A committee was appointed, and that committee went about touring from centre to centre to find out the present economic condition of the community and their immediate needs. I was very sorry to hear that the activities of the committee have been orally suspended. It is very necessary, Sir, that the activities of that committee should be restored, and that the committee should be given every facility so that the interests of these people may be protected. Sir, this is a very essential measure. This will benefit thousands of people of this community who have been suffering all along from the Criminal Tribes Act. As this is a progressive measure I am sure every section of public opinion in this House will support it.” 4-15 p.m.

* SRI B. BHIMA RAO :—“ Sir, I want to say a few words in support of this measure. I sponsored a similar measure in 1938, but I was asked to withdraw it because, I was told, the Police were against it. I am very glad to see that the Government of their own accord have brought this measure to-day. I understand the previous sanction of the Governor-General has not been taken to bring forward this legislation under section 108 of the Government of India Act, 1935. Whatever that may be, under section 109 of that Act, sanction may be asked for to ratify the Act now and since the hon. Law Member is going to Delhi next week, I hope he will use his good influence there to get the approval of the Central Government. (Interruption by the hon. Dr. P. Subbarayan.) He says the previous sanction has been obtained, and I am glad, now there will be no difficulty in passing this legislation.

“ As I said earlier, I wanted to sponsor this measure in 1930, as Mrs. Cousins was interested in the improvement of the condition of these tribes. But as it was thought by the Police that it would be impossible to reform these people without this Act, the matter could not be pursued. Now, Sir, it is well known, the conditions under which these people live are really deplorable. So

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far as Bellary is concerned, I have seen members of this tribe being asked to sit in taluk office compound in hot sun all day where there is no shade or tree at all. It was only last week I had been to a village in my district, and there I found members of this tribe sitting between two villages, in hot sun where there were not trees at all. That is the way in which these people are being treated; and I am glad civilized society has come forward to get rid of this Act. The caste Hindus were responsible for the lot of Harijans till now. In this case it is the Central Legislature that has passed this enactment in 1924 empowering local Government to frame rules for enforcing provisions. Now the Central Legislature also is moving in the matter. They also have recognized the injustice done to these criminal tribes. They have recently passed Act I of 1947 amending the provisions of that atrocious section 23 of the Criminals Tribes Act, which prescribed a sentence of transportation for life on a third conviction, to one of imprisonment. I have seen judges who try these cases for a third conviction, even enough it be for theft of a fowl, or a small thing worth eight annas or one rupee, feeling uneasy, and much against their conscience in sentencing these poor people to transportation. And when they subsequently made representations to Government about the inequity of the punishment they only got the reply from the High Court that they could not interfere, and that it was a matter for fresh legislation. I am glad the Central Legislature has seen the gravity of the section and amended it to a punishment of not more than seven years' imprisonment. I am glad they have given the judge discretion to award a punishment of imprisonment of any term not exceeding seven years.

"I may also inform this House that a member from this province, Mr. Venkatasubba Reddiar, has introduced a Bill in the Central Legislature to repeal this enactment altogether. So I see the Central Legislature also is moving in the right direction. As observed by Mr. Suryanarayana Rao and Mr. Sarma there is something more to be done besides repealing this Act. Now these tribes are really under bondage and without freedom. When freedom is given to them, you must see that they are properly started in life, they get proper employment and proper means of livelihood. I see, advisedly it is put in one section of this measure, that a notification will be made, upon which this repealing Act will come into operation. I think, within that time, it may be three months or six months, I would request Government to take adequate steps for giving these people proper avocation to eke out their livelihood honestly."

* SRI N. RANGA REDDI :—"Mr. President, Sir, I rise to say a few words in support of this measure. I am glad the hon. Minister has stated in his speech in introducing this Bill the circumstances under which the Act was made applicable to this province. But I am sorry to state, that whatever may be the original intention, in the practical application of the Act, very many inhuman atrocities have been committed, and therefore it is our bounden duty to see that this Act is not made applicable to the people of this province at all.

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[Sri N. Ranga Reddi]

"The first abominable feature in this Act is, without any evidence being recorded in a court of law, the personal freedom of a man could be restrained. He can be asked to appear in a Police Station at a particular hour, and this is done so, not because he has done any act against the State or any citizen, but because he is born in a particular tribe or in a particular family. When such is the case, it is for the members of this House to consider whether such an enactment should ever be allowed to remain any more on the statute book. Many will agree that if a person's freedom is to be restrained, it should be done on the ground that he has done something wrong or is about to do it; but not on the ground that he is born in a particular family or tribe. On that one ground alone the Criminal Tribes Act should be repealed forthwith. Mind you, Sir, whether at the time of the enrolment of a man's name in the list or at the time of removal, that man is not given an opportunity to have his say. All this is done on the basis of the police report. I am yet to see a District Magistrate who says, 'No, this man should not be brought under this Act.' As Mr. Suryanarayana Rao said, these people could be dealt with under the Madras Habitual Offenders Act. I know there is a difference between the two Acts. In the Madras Habitual Offenders Act we have to bring in some evidence to show why the freedom of movement should be curtailed. But even under that Act there is an obnoxious provision. No time limit has been fixed with regard to the "three convictions of non-bailable character". That is, no time has been fixed, within which these convictions should have taken place. Supposing a man has been convicted of non-bailable offences thrice within a period of fifteen or twenty years, is he to be put as a habitual offender on that score? I submit if a man's freedom is to be curtailed, it should be done so only after an open trial, in an ordinary court of law and after giving the man concerned an opportunity to defend himself. I submit therefore the sooner this Government brings forward a repealing measure even with regard to the Habitual Offenders Act the better. Otherwise there is still scope for abuse or harm to these people.

"Sir, I have nothing more to add. I only congratulate the Minister for having brought this Bill. I know very many people have been brought under the purview of this Act. Even people who have got plenty of property, even respectable people have been brought under this Act, simply because the Magistracy or the Police thought they should be brought under that enactment. That was what had happened in Cuddapah district. Very important and powerful Reddis, who own large properties in the district have been brought under the definition of gang. That way, this Act had been made applicable to those to whom it should not have been made applicable. I therefore welcome the move that this obnoxious measure should no longer be made applicable to these people."

* THE HON. DR. P. SUBBARAYAN :—"Mr. President, Sir, I shall first deal with my hon. Friend the member from Kistna. Evidently he has not read the Habitual Offenders Act though he is a very active practitioner and has even been a Public Prosecutor."

4-30
p.m.

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MR. PRESIDENT :—“ I am not conscious of any member from Kistna having spoken.”

THE HON. DR. P. SUBBARAYAN :—“ You think, Sir, he belongs to your district. He has moved away.”

MR. PRESIDENT :—“ I have not at all been conscious of his speech. He only put some questions.”

THE HON. DR. P. SUBBARAYAN :—“ He called it a speech.”

MR. PRESIDENT :—“ I wanted to gag him further.”

* THE HON. DR. P. SUBBARAYAN :—“ I want the hon. member to refer to the Habitual Offenders Act. It has nothing to do with criminal tribes but merely with habitual offenders. While His Excellency the Governor passed legislation under section 93, evidently he thought it was a convenient way of treating habitual offenders by referring them back to Criminal Tribes Act which gave certain powers. Therefore, as long as that Act remains, that Act has to be safeguarded. That is why a section in this Act, safeguarding the application of this Act to that Act, has been introduced. The whole question of criminal tribes goes with the repeal of this Act.

“ The hon. member Mr. Suryanarayana Rao made various suggestions. I know at one time these criminal tribes settlements were under Labour department. And, as he said, in Bombay, some of the social service organizations are in charge of the settlements. With regard to Kallar reclamation, schools are run for the benefit of the children of the Kallars, but they also are under the Police department. The hon. member rather sneered at the idea that I have been defending the Police. It is really due to the fact that any man in my position who wants the loyalty of the forces has got to defend them, for the simple reason that otherwise discipline will suffer. After all, hon. members should realize that they are only members of the services and they have no seats in the Legislature. Unless the member in charge of the department is able to defend them, they will find it difficult to give real service which you expect of your servants. In fact, if they go wrong, it is for me to deal with them; it is for the Government as a whole to take the action which they deem necessary for the purpose of bringing them into proper order and to get the rightful service that you expect of them. I can tell hon. members here that, as long as I am responsible for the department in my charge, if there is any fault in anything that is done, I am prepared to bear it on my shoulders which are, I think, broad enough to bear such responsibilities. But it does not mean that I am giving a free hand to the police, because, after all, no Government will be worth their name as Government unless they are able to pull up their subordinates when they find anything goes wrong.”

SRI S. B. ADITYAN :—“ Is the Hon. Minister taking responsibility for the use of tear-gas on the women workers the other day? ”

* THE HON. DR. P. SUBBARAYAN :—“ I take the responsibility. The hon. Member need not be solicitous about it. For anything done by the police, I take the responsibility. If the

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hon. member wants to find out the reasons, he can find them cut from me if he has got the patience and the industry to find out why a particular thing happened."

K. UPPI SAHIB BAHADUR :—" Does the Hon. Minister mean that we in this House should not criticize the atrocities of the servants of the Government? "

MR. PRESIDENT :—" The Hon. Minister only says : ' Do not sneer '."

THE HON. DR. P. SUBBARAYAN :—" I am glad, Sir, you have caught my point.

" With regard to the Kallar reclamation schools, the Government are considering whether it will not be possible, now that the Criminal Tribes Act is going, to hand over the schools to the Education department, because most of the teachers in these schools are borrowed from the Department of Education and advice also is taken from the District Educational Officers concerned in the matter of running these schools. Perhaps, it would be better when this Act goes out of the statute book that the District Educational Officers be made responsible for the educational work among the Kallars.

" With regard to the question of criminal tribes settlements, the question will be considered by the Government as a whole. If the Government feel that the better authority for controlling these settlements will be the Labour Commissioner or the Labour department or even some social service organization, the Government will consider how best these settlements could be run.

" Mr. President, I was glad my hon. friend from Bellary referred to the question of sanction by the Governor-General. In a matter relating to concurrent legislation, as he himself pointed out, the Governor-General's sanction has got to be obtained. We have obtained that sanction. Besides, there is another safeguard in the working of the constitution, namely, such bills as relate to matters on the concurrent list are reserved for the consideration of the Governor-General before they become law."

The motion that the Criminal Tribes (Madras Repeal) Bill, 1947 (L.A. Bill No. 12 of 1947), as passed by the Assembly, be taken into consideration at once was put and carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. DR. P. SUBBARAYAN :—" I now move, Sir—
' that the Bill be passed into law. ' "

The motion was put and carried and the Bill was passed into law.

MR. PRESIDENT :—" There is one other item on the agenda, the resolution on linguistic provinces."

K. UPPI SAHIB BAHADUR :—" I submit, Mr. President, that the matter may be taken up on the next official day."

MR. PRESIDENT :—" May I know why the Hon. Member wants that to be done? "

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K. UPPI SAHIB BAHADUR :—" My reason is this. A similar resolution is being discussed in the other House. We have to decide our policy in this matter. Unless they decide the matter in the other House, it is difficult for us to take part in this resolution. I would request you and the Government also to take this up on the next official day."

MR. PRESIDENT :—" How does the Government feel about it? "

THE HON. DR. P. SUBBARAYAN :—" As the Hon. the Leader is not here, speaking on his behalf, I think, Sir, he will have no objection to taking it up on the next official day, in view of the request of the Hon. the Leader of the opposition."

MR. PRESIDENT :—" Then this matter will be taken up on the next official day."

" I wish to point out to hon. Members that the office has not got the local addresses of hon. Members and therefore it finds difficult to send copies of agenda, resolutions and questions to hon. Members. I would request hon. Members to make it convenient to intimate their local addresses to the office. I wish that this defect may be remedied soon."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Even with regard to those who have given their local addresses, copies of questions, etc., are not sent."

MR. PRESIDENT :—" They are being sent."

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I can bear witness to the fact that they are not being sent. At least I have not been receiving these papers at my local address even on the day previous to the meeting."

K. UPPI SAHIB BAHADUR :—" Sir, we have already given our addresses in the Government House. Until we change our addresses, that address may be continued and rooms will be reserved for us. That was the understanding. What we find is, that since we took up our quarters in the Government House, we are not getting the papers. We have already intimated to the Assistant Secretary our Madras addresses and we thought it was sufficient."

MR. PRESIDENT :—" There is no difficulty in the case of those who have already given their local addresses. But there are others who have not given their addresses."

K. UPPI SAHIB BAHADUR :—" But even those who have given their addresses are not getting the papers."

MR. PRESIDENT :—" That will be looked into."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, what is likely to be the official business before we adjourn? "

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THE HON. DR. P. SUBBARAYAN :—" I think, Sir, that the Tungabhadra Irrigation Bill and the Malabar Irrigation Cess Bill will be ready for consideration by this House after they are passed by the Lower House. Tomorrow the Assembly will be discussing the resolution on linguistic provinces. Any other work which will be finished by the Assembly will come up here. But I am not in a position to make any certain statement on this because, I do not know when the linguistic provinces resolution will be finished in the Assembly. I hope it will be over tomorrow afternoon. Two Bills will be ready to be introduced in this House on the next official day. Wednesday is a non-official day and the House will take up resolutions and bills of non-official members."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" For how many days will this meeting last? "

MR. PRESIDENT :—" It is too much for anybody to say."

THE HON. DR. P. SUBBARAYAN :—" Till the 25th."

MR. PRESIDENT :—" The other House is making serious attempts to finish the work tomorrow. "

THE HON. DR. P. SUBBARAYAN :—" I do not think, it will finish to-morrow, Sir."

MR. PRESIDENT :—" If it does, we can finish our work on Thursday or on Friday.

" The House will now adjourn and meet again at 3 p.m. on Wednesday, 23rd April."

The House then adjourned.

V.—PAPERS LAID ON THE TABLE OF THE HOUSE.

1. A pamphlet on ' Thrift and Saving. '

2. The Bar Councils and Legal Practitioners (Madras Amendment) Bill, 1947 (L.A. Bill No. 11 of 1947) as passed by the Assembly and received therefrom in the Council.

3. The Criminal Tribes (Madras Repeal) Bill, 1947 (L.A. Bill No. 12 of 1947) as passed by the Assembly and received therefrom in the Council.

[21st April 1947]

APPENDIX I.

[Vide item IV (1), page 630 supra.]

L. A. BILL No. 11 OF 1947.

(As passed by the Assembly.)

A Bill further to amend the Indian Bar Councils Act, 1926, and the Legal Practitioners Act, 1879, in their application to the Province of Madras.

Central Act
XXXVIII
of 1926.
Central Act
XVIII of
1879.

WHEREAS it is expedient further to amend the Indian Bar Councils Act, 1926, and the Legal Practitioners Act, 1879, in their application to the Province of Madras, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and
extent.

1. (1) This Act may be called the Bar Councils and Legal Practitioners (Madras Amendment) Act, 1947.

(2) It extends to the whole of the Province of Madras.

Central Act
XXXVIII
of 1926.

Amendment of section 10, Central Act XXXVIII of 1926.

2. In section 10 of the Indian Bar Councils Act, 1926—

(i) in sub-section (1), after the words “any advocate of the High Court”, the words “or an advocate of any other High Court ordinarily practising in any subordinate Court or Courts in the Province of Madras” shall be inserted;

(ii) to the same sub-section, the following Explanations shall be added namely :—

“Explanation 1.—The holding of any political opinion, or the expression of it in any form or act not involving physical violence or incitement to or abetment of such violence, is not misconduct within the meaning of this sub-section.

Explanation 2.—Conviction for any political offence, under any general, special or local Law or Ordinance or any rules made thereunder, including conviction under section 124-A of the Indian Penal Code or the Indian Criminal Law Amendment Act, 1908, where the person convicted has not been found guilty of physical violence or of incitement to or abetment of such violence, is no proof of misconduct within the meaning of this sub-section.”

Central Act
XLV of
1860.
Central Act
XIV of
1908.

Amendment of Central Act XVIII of 1879.

3. In the Legal Practitioners Act, 1879—

(i) in Chapter III, after section 13, the following section shall be inserted, namely :—

“13-A. Notwithstanding anything contained in sections 12 and 13, no pleader or mukhtar holding a certificate as aforesaid shall be liable to be proceeded against or punished under those sections—

(i) for holding any political opinion, or expressing it in any form or act not involving physical violence or incitement to or abetment of such violence, or

Central Act
XLV of
1860.
Central Act
XIV of
1908.

(ii) for having been convicted of any political offence under any general, special or local Law or Ordinance (including section 124-A of the Indian Penal Code or the Indian Criminal Law Amendment Act, 1908) or under any rules made thereunder, where he has not been found guilty of physical violence or of incitement to or abetment of such violence.”

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(ii) in Chapter IV, after section 22, the following section shall be inserted namely :—

“ 22-A. Notwithstanding anything contained in sections 21 and 22, no revenue-agent holding a certificate as aforesaid shall be liable to be proceeded against or punished under those sections—

(i) for holding any political opinion, or expressing it in any form or act not involving physical violence or incitement to or abetment of such violence; or

(ii) for having been convicted of any political offence under any general, special or local Law or Ordinance (including section 124-A of the Indian Penal Code or the Indian Criminal Law Amendment Act, 1908) or under any rules made thereunder, where he has not been found guilty of physical violence or of incitement to or abetment of such violence.”

Central Act
XLV of
1860,
Central Act
XIV of
1908.

4. Any disciplinary inquiry or other proceeding pending at the commencement of this Act against any advocate, pleader, mukhtar or revenue-agent, shall be continued under the Indian Bar Councils Act, 1926, as amended by section 2 or, as the case may be, under the Legal Practitioners Act, 1879, as amended by section 3.

Central Act
XXXVIII
of 1926.

Central Act
XVIII of
1879.

Application of Act to
pending disciplinary
proceedings.

5. If any advocate has been suspended or removed from practice under the Indian Bar Councils Act, 1926, or if any pleader, mukhtar or revenue-agent has been suspended or dismissed under the Legal Practitioners Act, 1879, and such suspension, removal or dismissal is subsisting on the date of the commencement of this Act, then, the advocate, pleader, mukhtar or revenue-agent may, within one year from the said date, apply in writing under this section to the High Court or the Chief Controlling Revenue-authority, as the case may be, and the High Court or Chief Controlling Revenue-authority shall thereupon vacate the order of suspension, removal or dismissal, if such order could not have been passed after the commencement of this Act.

Central Act
XXXVIII
of 1926.

Central Act
XVIII of
1879.

Review of past dis-
ciplinary action.

APPENDIX II.

[Vide item IV (2), page 632 supra.]

L. A. BILL No. 12 OF 1947.

(As passed by the Assembly.)

A Bill to exclude the Province of Madras from the operation of the Criminal Tribes Act, 1924.

WHEREAS it is expedient to exclude the Province of Madras from the operation of the Criminal Tribes Act, 1924; It is hereby enacted as follows :—

Central Act
VI of 1924.

Short title and
commencement.

1. (1) This Act may be called the Criminal Tribes (Madras Repeal) Act, 1947.

(2) It shall come into force on such date as the Provincial Government may, by notification in the *Fort St. George Gazette*, appoint.

2. On and from the commencement of this Act, the Criminal Tribes Act, 1924, as amended by the Criminal Tribes (Madras Amendment) Act, 1943, and the Criminal Tribes (Madras Amendment) Act, 1945, shall, except for the purposes of section 3 of the Madras Restriction of Habitual Offenders Act, 1943, cease to be in force in the Province of Madras.

Central Act
VI of 1924.

Madras Act
XXIX of
1943.

Madras Act
XXV of
1945.

Madras Act
XXX of
1943.

Central Act VI of
1924 not to apply to
the Province of
Madras.



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